

U.S. Specialty Insurance Company

THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF FLORIDA FILED BY AD D.C.

JUL 31 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

DELIO BATISTA, et al.,

Plaintiffs,

v.

AVANT ASSURANCE INC., et al.,

Defendants.

Case No. 22.22671-CIV-ALTONAGA/Torres

UNDERTAKING FOR APPEAL

WHEREAS, the named defendant/appellant, Avant Assurance, Inc. desire(s) to give undertaking for Appeal of Final Judgment entered on July 15, 2023 as provided by Rule 62 of the Federal Rules of Civil Procedure.

NOW, THEREFORE, the undersigned surety, does hereby obligate itself, jointly and severally to The plaintiffs/appellees, Delio Batista, Carlos Lopez, Mariana Lopez, and Rafaela Valiente-----

under said statutory obligations in the sum of One Hundred Ninety-Four Thousand Eight Hundred Eighty and 40/100 Dollars (\$ 194,880.40). Notwithstanding, the Surety's total liability under this bond shall in no event exceed, \$194,880.40.

IT IS FURTHER AGREED by the Surety, that in case of default or contumacy on the part of the Surety, the Court may, upon notice to it of not less than ten days, proceed summarily and render judgment against it in accordance with their obligation and award execution thereon.

Signed, sealed and dated this 25th day of July, 2023.

BOND NO. 1001198778

PREMIUM: \$1,949.00

U.S. Specialty Insurance Company

BY: [Signature]
Daniel Huckabay Attorney-in-fact

U.S. Specialty Insurance Company
801 S. Figueroa Street, Suite 700
Los Angeles, CA 90017
310-649-0990

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange)

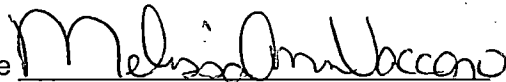
On 07/25/2023 before me, Melissa Ann Vaccaro, Notary Public
(insert name and title of the officer)

personally appeared Daniel Huckabay,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

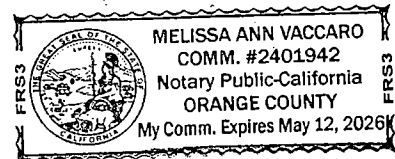
WITNESS my hand and official seal.

Signature



Melissa Ann Vaccaro

(Seal)





**TOKIOMARINE
HCC**

POWER OF ATTORNEY

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Daniel Huckabay, Arturo Ayala, Dwight Reilly, Shaunna Rozelle Ostrom, Michael D. Stong,
Ben Stong, Frank Morones, Adrian Langrell, Chelsea Liberatore and Benjamin Wolfe of Orange, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed ***** Seventy Five Million and 00/100 ***** Dollars (** \$75,000,000.00 **). This Power of Attorney shall expire without further action on January 31st, 2024. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23rd day of September, 2021.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

State of California
County of Los Angeles



By: _____

Daniel P. Aguilar, Vice President

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

On this 23rd day of September, 2021, before me, D. Littlefield, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

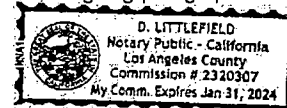
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

D. Littlefield

(seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 25th day of July, 2023.

Corporate Seals

Bond No. 1001198778

Agency No. 8472



Kio Lo
Kio Lo, Assistant Secretary

PRIORITY[®] MAIL

use.

insurance (restrictions apply).
any international destinations.

tion form is required.

ing claims exclusions see the

availability and limitations of coverage.

USPS INSPECTED

REC'D BY: D.C.
JUL 31 2023
ANGELA E. NOBLE
CLERK U.S. DISTRICT COURT
S.D. OF FLA. - MIAMI



USPS.COM/PICKUP

20
1/2

P	US POSTAGE & FEES PAID PRIORITY MAIL ZONE 3 FLAT-RATE ENVELOPE ComBasPrice	062S0014950562 10627688 FROM 32720
	stamps endicia 07/28/2023	
USPS PRIORITY MAIL[®]		
Samuel Alexander Alexander Appellate Law P.A. 120 S Woodland Blvd Suite 200 DeLand FL 32720-5458		
SHIP TO: US District Court Attn: Clerk's Office 400 N Miami Ave Miami FL 33128-1801		
USPS TRACKING #		
9405 5112 0620 3240 0202 11		

Appellate

This packaging is the property of the U.S. Postal Service[®] and is provided solely for use in sending Priority Mail[®] and Priority Mail International[®] shipments. Misuses may be a violation of federal law. This package is not for resale. EP14F © U.S. Postal Service; May 2020; All rights reserved.

United States District Court
Southern District of Florida

Case Number: 22-cv-22671-CMA

SUPPLEMENTAL ATTACHMENT(S)

Please refer to supplemental "file" in the division where the Documents/Exhibits were submitted and filed.

Division Document/Exhibits Submitted and Filed: _____

These Documents/Exhibits must not be placed in the "temp chron file".

Documents/Exhibits Retained in Supplemental Files (Scanned)

- ___ • Poor quality scanned images (i.e. Handwritten, Photographs)
- ☒ • Surety bonds
- ___ • Bound extradition papers

Documents/Exhibits Retained in Supplemental Files (Not Scanned)

- ___ • CD, DVD, USB drive. (i.e. Audio/Visual)

** All other documents and documentary exhibits are part of the CM/ECF Case Record in pdf format.

Date: 7/31/23